

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****Applicant(s):** James Robert Jensen**Docket No.** 54317-022000**Filed** herewith (October 27, 2003)**Title of Invention:** A SYSTEM AND METHOD FOR ENCODING AND DECODING  
DIGITAL DATA USING ACOUSTICAL TONES**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

In accordance with 37 C.F.R. §1.98(d), copies of the references listed are provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

This Information Disclosure Statement is being submitted:

- 1. Within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d), or within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or before the mailing date of a first Office action on the merits, and therefore, Applicant believes no fee is required;
- 2. After the period specified in paragraph (1) above of this section, but before the mailing date of either a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, whichever occurs first, and is accompanied by either:
  - a. A statement that:
    - (i) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months before the filing of the information disclosure statement; or
    - (ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months before the filing of the information disclosure statement;
- b. The fee for filing an Information Disclosure Statement under 37 C.F.R. § 1.17(p) is \$180.00.
- 3. After the period specified in paragraph (2) of this section, but on or before payment of the issue fee and is accompanied by:
  - a. A statement that:
    - (i) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent

office in a counterpart foreign application not more than three months before the filing of the information disclosure statement; or

(ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months before the filing of the information disclosure statement;

b. A petition requesting consideration of the information disclosure statement; and

c. The petition fee set forth in 37 C.F.R. § 1.17(i).

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

No fee is due. However, if the Applicant is mistaken, the Commissioner is hereby authorized to charge any required fee in connection with the submission of this paper, or to credit any overpayment to Deposit Account No. 50-2638.

Respectfully submitted,

  
Christopher Darrow  
Registration No. 30,166

Date: October 27, 2003

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FORM PTO-1449		Attorney Docket Number	54317-022000
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)		Application Number	
		Filed	herewith
		Applicant(s)	James Robert Jensen
		Group Art Unit	
		Examiner Name	

**U.S. PATENT DOCUMENTS**

EXAMINER INITIALS	DOCUMENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
4,063,031	Dec 13, 1977	Grunza	179	1	Apr 19, 1976	
5,110,189	May 5, 1992	Haines	299	30	Nov 16, 1990	
5,249,220	Sep 28, 1993	Moskowitz <i>et al.</i>	379	93	Apr 18, 1991	
5,732,133	Mar 24, 1998	Mark	379	355	Jun 7, 1996	
5,924,499	Jul 20, 1999	Birchak <i>et al.</i>	175	40	Apr 21, 1997	
5,959,547	Sep 28, 1999	Tubel <i>et al.</i>	340	853.2	Sep 17, 1997	
6,236,724	May 22, 2001	Labaton <i>et al.</i>	379	355	Oct 4, 1995	

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIALS	DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

**OTHER DOCUMENTS**

EXAMINER INITIALS	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

EXAMINER SIGNATURE	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.